

**PATENT  
APPLICATION 10/563,187  
ATTORNEY DOCKET 1043-005**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) **de Janasz, Christopher G.**  
Application **10/563,187**  
Confirmation **5857**  
Filed **30 December 2005**  
Application Title **Vehicle-Based Wireless Identification System**  
Art Unit **3621**  
Latest Examiner **Le, Nancy Loan T.**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION UNDER 37 C.F.R. § 1.132**

Sir:

I, Christopher G. de Janasz, a citizen of the United States, whose full post office address is 3980 William Court, Charlottesville, VA 22903 declare as follows under penalty of perjury.

**Background**

1. I hold a Bachelor's degree in Business Administration from Loyola Marymount University awarded in 1980.
2. I am currently the CEO of F2P Electronics, Inc.
3. Since 1998, I have worked continually in the field of integrated vehicle electronics with particular emphasis in vehicular automation systems.

Page 1 of 5

**PATENT  
APPLICATION 10/563,187  
ATTORNEY DOCKET 1043-005**

4. During my career, I have been granted one U.S. patent for my own inventions in the field of vehicular automation systems.

**Review**

5. I have reviewed Application Serial No. 10/563,187 (hereinafter the present application), which lists me as an inventor.
6. I know what one of ordinary skill in the art of the present application would have known on the priority date claimed by the present application (21 July 2003).
7. My statements herein are made solely from the perspective of one of ordinary skill in the art as of 21 July 2003.
8. I have reviewed the USPTO Office Action dated 9 October 2007 (hereinafter the "Office Action") regarding Application Serial No. 10/563,187.
9. I have reviewed U.S. Patent 5,819,234 ("Slavin").
10. I have reviewed U.S. Patent 6,856,820 ("Kolls").
11. I have reviewed U.S. Patent 6,339,384 ("Valdes-Rodriguez").
12. I have reviewed U.S. Patent 7,044,622 ("Marshall").
13. Among the subject matter with which I was familiar prior to 21 July 2003 was subject matter of the type recited in Slavin.
14. Among the subject matter with which I was familiar prior to 21 July 2003 was subject matter of the type recited in Kolls.
15. Among the subject matter with which I was familiar prior to 21 July 2003 was subject matter of the type recited in Valdes-Rodriguez.
16. Among the subject matter with which I was familiar prior to 21 July 2003 was subject matter of the type recited in Marshall.

**Marshall is Not Pertinent Art to the Claimed Subject Matter**

17. Independent claim 1, from which each of claims 2-13 ultimately depends, states, *inter alia*, "receiving a signal from a vehicle-powered non-telephonic wireless transmitter

PATENT  
APPLICATION 10/563,187  
ATTORNEY DOCKET 1043-005

fixedly attached to a vehicle, the signal comprising an encrypted unique identifier, the encrypted unique identifier not comprising a financial account number or a user-provided PIN, the signal transmitted responsive to a predetermined input from a user, the signal requesting approval of a proposed transaction, fulfillment of the proposed transaction not involving the transmitter".

18. Independent claim 14 of the present application states, *inter alia*, "an input processor adapted to receive a signal from a vehicle-powered non-telephonic wireless transmitter fixedly attached to a vehicle, the signal comprising an encrypted unique identifier, the encrypted unique identifier not comprising a financial account number or a user-provided PIN, the signal transmitted responsive to a predetermined input from a user, the signal requesting approval of a proposed transaction, fulfillment of the proposed transaction not involving the transmitter".
19. Independent claim 15, from which each of claims 16-33 ultimately depends, states, *inter alia*, "at a central processor, receiving information originating from a vehicle-powered non-telephonic wireless transmitter fixedly attached to a vehicle, the information comprising an encrypted unique identifier, the encrypted unique identifier not comprising a financial account number or a user-provided PIN, the information provided from the wireless transmitter responsive to a predetermined input from a user, the information requesting approval of a proposed transaction, fulfillment of the proposed transaction not involving the wireless transmitter".
20. The Office Action asserts, at Pages 3-4, "Marshall, however, suggests the signal transmitted responsive to '*a predetermined input from a user* {claim 1}, *wherein such an input comprises a predetermined number of headlight high beam switch activations within a predetermined time interval*' {claim 6} (col. 3 lines 43-63) to activate a transmitter and get it ready to transmit signal/data to a receiver. Therefore, it would have been obvious to an ordinary skill in the art at the time the invention was made to modify a method for transmitting a signal from a '*vehicle-powered*' non-telephonic wireless transmitter/transponder as suggested by Slavin et al. in view of

**PATENT  
APPLICATION 10/563,187  
ATTORNEY DOCKET 1043-005**

Kolls et al. further in view of Valdes-Rodriguez to include the aspect of the signal transmitted responsive to '*a predetermined input from a user* {claim 1}, *wherein such an input comprises a predetermined number of headlight high switch activations within a predetermined time interval*' {claim 6} as suggested by Marshall to activate a transmitter and get it ready to transmit signal/data to a receiver.

21. One having ordinary skill in the art would find the statement of the Office Action recited in paragraph 19 factually incorrect as of 21 July 2003.
22. One having ordinary skill in the art would have found that the Abstract of Marshall states, "[a]n illumination tool for projecting a light beam through a transparent structure that has a portion of the tool detachably securable via a vacuum seal mechanism that engages the transparent structure. A lighting mechanism is electrically attached to the illumination tool and is positioned in contact with the transparent structure via a soft seal positioned about the lighting mechanism. The lighting mechanism may, if desired, be manually activated and deactivated i.e., the illumination tool turned on or off. If desired, the illumination tool may be remotely operated by a user depressing a remote operating switch and a radio signal is communicated to the illumination tool. The remote actuator may also be hardwire connected to the illumination tool. Further, if desired the lighting mechanism may be illuminated via strobe light, a continuous or flashing beam of light."
23. Based upon the Abstract of Marshall, one having ordinary skill in the art would have found that Marshall is directed to "[a]n illumination tool for projecting a light beam through a transparent structure".
24. One having ordinary skill in the art would have found each of claims 1, 14, and 15 to be directed towards "fulfillment" of a "proposed transaction" regarding a "financial account".
25. One having ordinary skill in the art would not have found Marshall to be reasonably pertinent to the problem addressed by the claimed subject matter of claims 1, 14, and 15.

PATENT  
APPLICATION 10/563,187  
ATTORNEY DOCKET 1043-005

26. Because of being directed toward unrelated problems and subject matter, one having ordinary skill in the art would not have found Marshall to be analogous art to the present application.

I further declare that all statements made herein of my own knowledge are true and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 8th day of January 2008



Christopher G. de Janasz

Page 5 of 5